

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JOHN GZIKOWSKI,)
Petitioner,) No. C 08-3652 TEH (PR)
vs.) ORDER OF TRANSFER
DEBRA DEXTER, Warden,)
Respondent.)

On July 30, 2008, Petitioner, a state prisoner incarcerated at Ironwood State Prison in Blythe, California, filed a pro se petition for a writ of habeas corpus under 28 U.S.C. § 2254 challenging the California Board of Prison Terms' ("BPT") decision to deny him parole. Petitioner has paid the filing fee. Ironwood State Prison is located within Riverside County, which lies within the Central District of California. See id. § 84(b).

Venue is proper in a habeas action in either the district of conviction or the district of confinement, id. § 2241(d). However, the district of confinement is the preferable forum to review the execution of a sentence, including parole. See Habeas L.R. 2254-3(a); Dunne v. Henman, 875 F.2d 244, 249 (9th Cir. 1989); cf. Laue v. Nelson, 279 F. Supp. 265, 266 (N.D. Cal. 1968) (district of conviction preferable forum to review conviction). Because the County of Riverside lies in the Central District of California, the Court orders that pursuant to 28 U.S.C. § 1404(a) and Habeas Local Rule

1 2254-3(b), and in the interest of justice, this petition be transferred to the United States
2 District Court for the Central District of California forthwith.

3 SO ORDERED.

4
5 DATED: 08/21/08



THELTON E. HENDERSON
United States District Judge

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF CALIFORNIA

JOHN GZIKOWSKI,

Plaintiff,

Case Number: CV08-03652 TEH

CERTIFICATE OF SERVICE

v.

DEBRA DEXTER et al,

Defendant.

/

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on August 22, 2008, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

John Gzikowski #: D-00666
Ironwood State Prison
P.O. Box 2199
Blythe, CA 92226-2199

Dated: August 22, 2008


Richard W. Wiking, Clerk
By: R.B. Espinosa, Deputy Clerk